

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-21 are pending in this application. By this Amendment, claims 1 and 12-14 are amended. No new matter is added.

Applicants note with appreciation the Examiner's acknowledgement that certified copies of all priority documents have been received by the U.S.P.T.O. Action, summary at 12.

I. Drawings:

Applicants also respectfully note that although drawing were previously submitted as indicated by the attached Notice of Acceptance that acknowledges receipt of the drawings filed on October 24, 2005, the present action does not indicate that the drawings have been accepted by the Examiner. Courtesy copies of the previously filed drawings are submitted concurrently with this paper. Applicants respectfully request that the Examiner's next communication include an indication as to the acceptability of the filed drawings or as to any perceived deficiencies so that the Applicants may have a full and fair opportunity to submit appropriate amendments and/or corrections to the drawings.

II. Rejections under 35 U.S.C. § 112

Claims 1-21 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse this rejection for the reasons detailed below.

It is alleged in the Office Action that several of the terms recited in claim 1 are not clearly understood and therefore are alleged to be indefinite. For example, it is alleged in the Office Action that the term "detection pulses" is not clearly understood, nor is the "length of the detection pulses." Applicants respectfully refer the Examiner to paragraph [0035] and Figs. 2 and 3 for clarification. As shown in Figs. 2 and 3 and as recited in paragraph [0035] a detection P corresponds to a length T1 of time during which a drawn current Ia is detected. Thus, a detection pulse as shown in the figures and described in the Specification is a pulse during which drawn current is detected and the length of the detection pulse is a length of time, for example 4 milliseconds as described in the example embodiment shown in the figures. Moreover, it is clearly shown in the figures and described in the Specification that the detection pulse P has a

detection value I1 which corresponds to a peak value, for example 8 milliamps, and a quiescent I2 which corresponds to a quiescent period and may be lower than the detection value by, for example, a factor of twenty. As each of the terms “detection pulses” and “the length of the detection pulses” is clearly described in the Specification, the Applicants have complied with the requirements of 35 U.S.C. § 112, second paragraph.

Moreover, although it is suggested in the Office Action that a definition of the detection pulses be added to the claims, no such definition is necessary to the understanding nor required by the rules of patent practice. Rather, under 35 U.S.C. § 112, first paragraph, the Specification is required to contain a written description of the invention in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains to make and use the same. As the words in the Specification must be given the same meaning when used in a claim, and the Specification, by statute, is used to ascertain the scope of meaning of language employed in the claims, the claim terms are not indefinite nor have the Applicants failed to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention.

It is further alleged that the function of the “constant current sink” is not clearly defined. Applicants respectfully refer the Examiner to paragraphs [0034] and [0046]. Paragraph [0034] recites that the constant current sink 7 holds the absolute value of the input current Ie at a constant absolute value and is operated in a pulsed mode. Paragraph [0046] further recites that the constant current sink 7 comprises a field effect transistor T1 whose drain connection 8 is connected to an input contact 9 of the control input 5. Thus, the composition and function of the constant current sink is clearly supported in the Specification and therefore the claimed term is not indefinite, nor have the Applicants failed to distinctly claim the subject matter which the Applicants regard as the invention.

It is also alleged in the Office Action that the “terms of electrical characteristics (i.e. voltage, current, frequency)” that is used for comparison in the “drawn current being lowered between two successive detection pulses” is not provided and therefore is apparently believed to be unclear. However, as the claims do not require the identification of a voltage current or frequency to comport with the requirements of 35 U.S.C. § 112, second paragraph, no further definition of the electrical characteristics is needed. However, as clearly recited in the Specification at least at paragraphs [0035] and [0036] the drawn current Ia is measured in milliamps in the exemplary embodiment discussed therein. Accordingly, the electrical characteristics, although not recited in the claims, are supported in the Specification.

It is further alleged in the Office Action that the claimed term “control signal S” is not clearly understood. As there is no such claim term recited in the claims, the Examiner’s rejection is improper. However, a “control signal” is recited in the claims and the meaning of the term may be clearly comprehended upon a reading of the Specification. For example, paragraph [0002] recites that an electronic control signal may be sent from an external control unit to an appliance and that a control signal may be, for example, a turn-on or a turn-off command. Additionally, as recited at paragraph [0030] to produce a control signal S, the control unit 3 applies a control voltage U_{st} to a control input 5 of the appliance 1. Thus, it is clear from a reading of the Specification that a control signal is a signal sent to the control input circuit 6 to implement a result. As such, the Applicants have complied with the requirements of 35 U.S.C. § 112, second paragraph by particularly pointing out and distinctly claiming subject matter which the Applicants regard as the invention.

Finally, it is alleged in the Office Action that there is no activated device being recited in the claims for a “prescribed turn-on value” and “prescribed turn-on.” As the claims are amended in response to the rejection, withdrawal of the rejection is respectfully requested.

The Applicants, therefore, respectfully request that the rejection to Claims 1-21 under 35 U.S.C. § 112, second paragraph, be withdrawn.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Fitzpatrick, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By: 

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JWF/bmd

Enclosure: Copy of Notice of Acceptance
Courtesy Copy of previously filed Drawings (3 sheets)